

IDAHO BOARD OF MASSAGE THERAPY
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 9/30/2013

BOARD MEMBERS PRESENT: Gayla Nickel - Chair
Ione C Springer
Paul J Weston
Gail L. King

BOARD MEMBERS ABSENT: Linda A Chatburn

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Administrative Support Manager
Lori Peel, Investigative Unit Manager
Maurie Ellsworth, Legal Counsel
Roger Hales, Administrative Attorney
Deborah Sexton, Technical Records Specialist II
Cheri Simpson, Technical Records Specialist II
Carrie Gilstrap, Technical Records Specialist I
April Haynes, Technical Records Specialist I

OTHERS PRESENT: Judy Silcock
Sally Hacking
Jean Robinson
Suzie Lindberg

The meeting was called to order at 8:06 AM MDT by Gayla Nickel.

APPROVAL OF MINUTES

Mr. Weston made a motion to approve the minutes of 5/13/2013, 5/20/2013, 6/10/2013, 6/24/2013, 6/28/2013, 8/2/2013, and 8/26/2103 after corrections are made. It was seconded by Ms. King. Motion carried.

Ms. King made a motion to approve the minutes of 6/17/2013, and 7/8/2013 after corrections are made. It was seconded by Mr. Weston. Motion carried.

Mr. Weston made a motion to approve the minutes of 7/15/2013 and 9/12/2013. It was seconded by Ms. King. Motion carried.

Ms. King made a motion to approve the minutes of 7/22/2013. It was seconded by Mr. Weston. Motion carried.

Ms. King made a motion to make corrections to the minutes of 4/22/2013. It was seconded by Mr. Weston. Motion carried.

Prior approvals of the following applications were ratified.

Mr. Weston made a motion to ratify the application approval for Mathew Stewart MASG- 458. It was seconded by Ms. Springer. Motion carried.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board has a cash balance of \$89,033.60 as of 9/30/2013.

INVESTIGATIVE REPORT

Ms. Peel gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

Mr. Weston made a motion to approve the Bureau's recommendation and authorize closure in case I-MAS-2014-1. It was seconded by Ms. King. Motion carried.

Ms. King made a motion to approve the Bureau's recommendation and authorize closure in case I-MAS-2014-3 with a warning letter that she is expected to comply with the Board's laws and rules. It was seconded by Mr. Weston. Motion carried.

OLD BUSINESS

Mr. Hales discussed possible law and rule changes with the Board and the associations regarding internal cavity and breast massage. Ms. Springer made a motion to direct counsel to draft for the proposed changes regarding internal cavity practice. It was seconded by Ms. King. Motion carried.

Ms. King made a motion to direct council to make a draft of changes regarding continuing education and CPR. It was seconded by Ms. Springer. Motion carried.

Ms. King made a motion to update the website frequently asked questions to clarify that student clinic is part of clinical work.

Q: What qualifies as "clinical work" in an educational program?

A: Any supervised, hands-on training in a classroom setting including clinic.

The motion was to add "student" in front of clinic to the answer. It was seconded by Ms. Springer. Motion carried.

Discussion was held regarding schools that employ unlicensed individuals as instructors of Clinical work. Ms. Springer made a motion to direct Mr. Ellsworth and Ms. Peel to draft a reminder letter to Massage Therapy schools that only a licensed Massage Therapist can teach clinical work at Massage Therapy schools. It was seconded by Mr. Weston. Motion carried.

Ms. Springer made a motion to direct staff to update the website to match other boards. It was seconded by Ms. King. Motion carried.

Discussion was held and direction was given to Ms. Hall on the link for proprietary schools.

NEW BUSINESS

Correspondence

The Board reviewed correspondence from Ms. Vandy Martin regarding continuing education. The Board instructed Ms. Haynes to reply that according to Rule 503, a specific class on ethics is required.

The Board had a discussion with Ms. Judy Silcock regarding continuing education and Board approval. All continuing education must be Board approved; however, some forms of approval are already stated in the Law and Rules. A course may be approved after it has taken place, although approval is not guaranteed. When seeking Board approval, either the educator, the host, or the participant may submit an Education Approval Application.

The Board reviewed correspondence from Ms. Tani Rawlings regarding Continuing Education Courses. The Board instructed Ms. Haynes to refer her to Idaho Code 54-4002 (7) and Rules 501-503. If further clarification is needed, she can fill out an application for Education Approval Application.

The Board reviewed correspondence from Ms. Nancy Rodrigues regarding breast massage. The Board instructed Ms. Haynes to reply that the law does not address this topic currently. However, the Board is in the process of clarifying this issue. The Board referred her to the Code of Ethics, Sections 7 and 9 to further address her question.

The Board reviewed correspondence from Ms. Roxann Caldwell regarding clarification on Students and internships. The Board instructed Ms. Haynes to refer her to Rule 600 (2) (B) and Idaho Code 54-4003 (2) (C).

The Board reviewed correspondence from Ms. Jackie Guilbeault regarding grandfather applications. The Board instructed Ms. Haynes to reply that the burden lies with the applicant to prove to the Board they have met the requirements for licensure in Idaho. If they feel they have met the requirements

outlined in the laws and rules, they can submit an application and the Board will review it and make a determination.

EXECUTIVE SESSION

Ms. King made a motion that the Board go into executive session under Idaho Code § 67-2345(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Ms. Springer. The vote was: Ms. Nickel, aye; Mr. Weston, aye; Ms. Springer, aye; and Ms. King, aye. Motion carried.

Ms. Springer made a motion to come out of executive session. It was seconded by Mr. Weston. The vote was: Mr. Weston, aye; Ms. Springer, aye; Ms. King, aye; and Ms. Nickel, aye. Motion carried.

Mr. Weston made a motion that the Board go into executive session under Idaho Code § 67-2345(1) (d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Ms. Springer. The vote was: Ms. Nickel, aye; Mr. Weston, aye; Ms. Springer, aye; and Ms. King, aye. Motion carried.

Ms. Springer made a motion to come out of executive session. It was seconded by Ms. King. The vote was: Mr. Weston, aye; Ms. Springer, aye; Ms. King, aye; and Ms. Nickel, aye. Motion carried.

APPLICATIONS

Ms. King made a motion to approve the following applications:

HICKS LAURENCE V	MASA-1532
TUCKER CHARITY KRISTIN	MASA-1536

It was seconded by Ms. Springer. Motion carried.

CE APPLICATION

Ms. King made a motion to approve the following CE application for licensure:

JUMOZY

It was seconded by Ms. Springer. Motion carried.

Ms. Springer made a motion that the Board go into executive session under Idaho Code § 67-2345(1)(d) to consider records that are exempt from disclosure

under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Mr. Weston. The vote was: Ms. Nickel, aye; Mr. Weston, aye; Ms. Springer, aye; and Ms. King, aye. Motion carried.

Ms. King made a motion to come out of executive session. It was seconded by Ms. Springer. The vote was: Mr. Weston, aye; Ms. Springer, aye; Ms. King, aye; and Ms. Nickel, aye. Motion carried.

NEXT MEETING was scheduled for October 1, 2013 at 4:00 PM.

ADJOURNMENT

Ms. Springer made a motion to adjourn the meeting at 4:45 PM. It was seconded by Mr. Weston. Motion carried.

Gayla Nickel, Chair

Ione C Springer

Paul J Weston

Gail L. King

Linda A Chatburn

Tana Cory, Bureau Chief